

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**LYNN GAVIN, ET AL.,**

Plaintiffs,

v.

**SAN FRANCISCO HOUSING AUTHORITY, ET  
AL.,**

Defendants.

Case No. 16-cv-04974-YGR

**ORDER RE: SECOND AMENDED  
COMPLAINT; DENYING MOTION TO SEAL**

Re: Dkt. Nos. 30, 31

By Order issued November 16, 2016 (Dkt. No. 26), the Court dismissed all claims against the City and County of San Francisco and the San Francisco Housing Authority with prejudice and without leave to amend. Consequently, they are no longer defendants in this case. Plaintiff was also directed to serve the remaining federal defendants no later than January 16, 2017 and to file the proof of service. Plaintiff failed to comply with the Court's order.

By Order issued on January 25, 2017 (Dkt. No. 29), the Court gave plaintiff one final opportunity to show her intent to prosecute this case and directed her to file a proof of service on federal defendants by Friday, February 10, 2017. The Court warned plaintiff that it would dismiss the action if she failed to file the proof of service.

On February 3, 2017, plaintiff instead filed a second amended complaint (Dkt. No. 31) and a motion to file the case under seal (Dkt. No. 30). To the extent plaintiff's second amended complaint asserts causes of action against the City and County of San Francisco and the San Francisco Housing Authority, those claims are **DISMISSED**. Plaintiff is directed to serve the second amended complaint upon all remaining defendants by March 1, 2017. Failure to do will result in dismissal of this action.

The Court also **DENIES WITHOUT PREJUDICE** plaintiff's motion to file the second

1 amended complaint under seal pursuant to HIPPA because the Court has not identified any  
2 portions that appear appropriate for sealing. Plaintiff may file a renewed motion to seal pursuant to  
3 Civil L.R. 79-5. The request must be narrowly tailored to seek sealing only of sealable material,  
4 and must conform with Civil L.R. 79-5(d).

5 **IT IS SO ORDERED.**

6 Dated: February 6, 2017

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8 **YVONNE GONZALEZ ROGERS**  
9 **UNITED STATES DISTRICT COURT JUDGE**  
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